

REMARKS

By way of summary, claims 1 and 26 have been amended and new claims 27 and 28 have been added. Claims 15-25 were previously withdrawn and claims 2-7, 9-10 and 12 were previously canceled. Accordingly, claims 1, 8, 11, 13, 14 and 26-28 are now presented for examination on the merits.

Rejection of Claims 26 under 35 USC §103(a)

Claim 26 has been rejected under 35 USC §103(a) as being unpatentable over Mehra in view of Dahl et al. Applicant has amended claim 26 to recite additional structural limitations to distinguish the claimed invention over the cited references. More particularly, claim 26 now recites at least one forming element coupled to the mitral valve annulus device for selectively manipulating a shape of the mitral valve annulus device from a location outside the venous system. Neither Mehra nor Dahl et al. teaches or suggests a forming element for manipulating a device from a location outside the venous system. Rather, Mehra and Dahl et al. each discloses an implantable electrode structure. The electrode structures are configured to conform to the shape of the body structure in which they are implanted.

Because the cited references do not disclose the features of the claimed invention, Applicant respectfully submits that claim 26 is now in condition for allowance.

New Claims 27 and 28

Applicant has added new dependent claims 27 and 28 which recite additional distinguishing features. Claim 27 further clarifies that the forming element is configured to alter a curvature of the mitral valve annulus device. Claim 28 further clarifies that the mitral valve annulus device is configured to be manipulated to an arched configuration when in the coronary sinus of the heart, wherein the coronary sinus has a natural curvature and the arched configuration of the mitral valve annulus device has a curvature different than the natural curvature of the coronary sinus for pressing a portion of the coronary sinus against the mitral

valve annulus. There is no teaching in Mehra or Dahl et al. of a forming element which can be used to alter a curvature of the device. There is no teaching in Mehra or Dahl et al. of a mitral valve annulus device is configured to be manipulated to an arched configuration when in the coronary sinus of the heart for pressing a portion of the coronary sinus against the mitral valve annulus.

Amendments to Claim 1

Applicants wish to thank the Examiner for allowing claims 1, 8, 11, 13 and 14. By way of this Amendment, Applicant has amended claim 1 to improve readability and thereby clarify the structure of the claimed invention. In particular, Applicant believes that the term “curvature” is more accurate than the term “radius” in the context of the claim language. Accordingly, the term “curvature” has been substituted for the term “radius” to clarify the structure of the device. Claim 1 now recites that the mitral valve annulus device is configured to change from a first shape toward a second shape having a curvature adapted to reshape the mitral valve annulus when in the coronary sinus of the heart, and wherein the coronary sinus has a natural curvature, the curvature of the second shape being different than the natural curvature of the coronary sinus such that the mitral valve annulus device presses a portion of the coronary sinus against the mitral valve annulus to reshape the mitral valve annulus. Applicant respectfully submits that amended claim 1 remains in condition for allowance.

Fees Due to File This Amendment

Prior to the pending Office Action, a fee was paid for 20 claims, with 3 of them being independent claims. The aforementioned claim additions and cancellations have not resulted in more than the number of claims originally paid for, and **thus no claim fees are believed to be due** to file this amendment.

Conclusion

Should the Examiner have any remaining questions, the Examiner is encouraged to contact the attorney of record at the telephone number shown below.

Respectfully submitted,

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